

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.
2. Claims 1 and 3 are rejected under 35 U.S.C. 103(a) as being unpatentable over McCormick 2003/0143423 in view of Chun 6,710,542 alone, or further in view of McCormick 2011/0177637. McCormick 2003/0143423 discloses an organic electronic component (an OED) 18 on a substrate encapsulated in a dimensionally stable capsule (the glass cover plate 24), an adhesive seal 22 comprising absorbents [0027] that attaches the cover plate to the substrate, and a protective or barrier film 26 that covers the transition area from the capsule to the substrate (see Figure 1A) and is more insulating against moisture and/or oxygen than the adhesive 22; see [0033] and [0040]. Concerning the term “thin”, this term is a relative term, and as such, does not distinguish over the film 26 in the reference. However McCormick 2003/0143423 does not disclose the claimed thickness of his protective barrier film or the use of silicon nitride as the protective or barrier film. It would have been obvious to one of ordinary skill in the art to adjust the thickness of the barrier layer 26 in McCormick 2003/0143423 to any particular thickness so as to provide a desired level of barrier properties for a particular end use since a change in size is generally recognized as being within the level of ordinary skill in the art. Regarding the use of a silicon nitride protective or barrier layer, Chun discloses the use of silicon nitride in his encapsulation for an organic electronic component; see column 2, lines 13-15, and claim 1. It would have been obvious to one

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of ordinary skill in the art to use a silicon nitride film as the protective film in the primary reference in view of the teachings in the secondary reference to improve barrier properties and since it has been held to be within the general skill of a worker in the art to select a known material on the basis of its suitability for the intended use as a matter of obvious design choice. Regarding the new limitation of "a filler" being present in the protective film. It is considered a well-known scientific principle that fillers may be added to any composition to provide desirable physical properties to the final product, for example, pigments added to paints or adhesives to provide color. Therefore, it would have been obvious to one of ordinary skill in the art to provide the barrier adhesives 26 with fillers to provide desirable properties in the absence of unexpected results attributable to the presence of a filler. In any event, McCormick 2011/0177637 teaches the use of fillers in adhesive compositions similar to those used as the protective film 26 in McCormick 2003/0143423 in order to provide special functionality [0056]. It would have been obvious to one of ordinary skill in the art to incorporate fillers in barrier adhesive layer 26 of the primary reference in view of the teachings in McCormick 2011/0177637 in order to provide special functionality to the layer.

Concerning claim 3, McCormick 2003/0143423 does not disclose "a protective film" that covers the entire exterior of the component. Chun discloses this feature in his encapsulation for an organic electronic component with a protective film of silicon nitride; see column 2, lines 13-15, claim 1 and column 4, lines 47-52. It would have been obvious to one of ordinary skill in the art to use a silicon nitride film that covers the entire exterior of the component as the protective film in the primary reference in view of

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the teachings in the secondary reference to improve barrier properties and since it has been held to be within the general skill of a worker in the art to select a known material on the basis of its suitability for the intended use as a matter of obvious design choice.

3. Claims 16, 17, 19 and 21- 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Fazzio 7,642,642 in view of Chun 6,710,542 alone, or further in view of McCormick 2011/0177637. Fazzio discloses a circuit 24 encapsulated in a capsule 30 having lateral areas 32 that are attached to a substrate by adhesive 34 and a protective film 36 covering the area of transition from the capsule to the substrate; see Figure 3A. However, Fazzio does not disclose his circuit as being an organic electronic component. The secondary reference discloses an encapsulated organic electronic circuit 12, 13, 14, 16 comprising a capsule attached to a substrate 11 with an adhesive 17 which is coated with a protective film over part or all of the capsule and adhesive; see Figures 2 and 3. Thus, the secondary reference teaches that it is well-known to encapsulate organic electronic circuits. It would have been obvious to one of ordinary skill in the art to use the encapsulation structure of Fazzio to encapsulate an organic circuit in view of the disclosure in the secondary reference because this involves a simple substitution of one known element for another to obtain predictable results. Regarding the new limitation of the protective film including "a filler" in claim 16 and new claim 23. It is considered a well-known scientific principle that fillers may be added to any composition to provide desirable physical properties to the final product, for example, pigments added to paints or adhesives to provide color. Therefore, it would have been obvious to one of ordinary skill in the art to provide the protective film 36 in

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Fazzio with fillers to provide desirable properties in the absence of unexpected results attributable to the presence of a filler. In any event, McCormick 2011/0177637 teaches the use of fillers in compositions similar to those used as the protective film 36 in Fazzio in order to provide special functionality [0056]. It would have been obvious to one of ordinary skill in the art to incorporate fillers in protective layer 36 of the primary reference in view of the teachings in McCormick 2011/0177637 in order to provide special functionality to the layer.

Fazzio also does not disclose "a protective film" that covers the entire exterior of the component or the use of a silicon nitride protective film. The secondary reference discloses this feature in its encapsulation of an organic electronic component with a protective film of silicon nitride; see column 2, lines 13-15, claim 1 and column 4, lines 47-52. It would have been obvious to one of ordinary skill in the art to use a silicon nitride film (claim 19) that covers the entire exterior of the component (claim 17) as the protective film in the primary reference in view of the teachings in the secondary reference to improve barrier properties and since it has been held to be within the general skill of a worker in the art to select a known material on the basis of its suitability for the intended use as a matter of obvious design choice.

Concerning new claims 21 and 22, the secondary reference also discloses the use of alternating layers of organic material and inorganic material as the protective material; see column 3, lines 13-18. It would have been obvious to one of ordinary skill in the art to use alternating layers of organic material and inorganic material as the

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protective layer in the product of the primary reference in view of the teachings in the secondary reference in order to provide moisture and oxygen barrier properties.

Response to Arguments

4. Applicant's arguments have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

5. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to ALEXANDER THOMAS whose telephone number is (571)272-1502. The examiner can normally be reached on 6:30-4:00 M-THUR.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Sample can be reached on 571-272-1376. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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/Alexander Thomas/
Primary Examiner
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